

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-27 are pending in the present application, Claims 1, 2, and 22 having been amended and Claim 27 having been added.

In the outstanding Official Action, Claim 22 was rejected under 35 U.S.C. §112, second paragraph,; Claims 1-5, 7-9, 11-14, 16-18, and 20 were rejected under obvious-type double patenting as unpatentable over Claims 1 and 2 of Seet et al. (U.S. Patent No. 6,701,301, hereinafter Seet) in view of Ho (U.S. Patent No. 5,909,207); Claims 6 and 15 were rejected under obvious-type double patenting as unpatentable over Seet in view of Ho, and further in view of Sarra (U.S. Patent No. 5,053,762); Claims 10 and 19 were rejected under obvious-type double patenting as unpatentable over Seet in view of Ho, and further in view of McCurdy et al. (U.S. Patent No. 5,053,762, hereinafter McCurdy); Claims 1-5, 7-14, and 16-20 were rejected under 35 U.S.C. §103(a) as unpatentable over McCurdy in view of Ho; and Claims 6 and 15 were rejected under 35 U.S.C. §103(a) as unpatentable over McCurdy in view of Ho, and further in view of Sarra.

Claim 22 is amended to correct dependency. Claims 1 and 2 are amended to recite the advancing step comprises displaying at least two pages simultaneously moving across from at least one of book right-side to the book left-side and from the book left-side to the book right-side. Claims 1 and 2 are further amended to recite displaying a speed of movement through the electronic book, wherein a number of the at least two pages is proportional to a selectable flipping speed, and the speed of movement through the electronic book is proportional to the selectable flipping speed. Support for these amendments is found in Applicants' originally filed specification.¹ No new matter is added.

¹ Specification, Figure 1D and corresponding text.

Applicants traverse the outstanding double patenting rejections. However, to expedite progress toward allowance, Applicants have filed with this response a Terminal Disclaimer regarding Applicants' U.S. Patent No. 6,701,301, thus rendering the double patenting rejections moot.

Briefly recapitulating, amended Claims 1 and 2 recite, *inter alia*, a method for inserting advertisement into a displayed electronic book, the method including an advancing step that includes displaying at least two pages simultaneously moving across from at least one of book right-side to the book left-side and from the book left-side to the book right-side. The method of Claims 1 and 2 further recite displaying a speed of movement through the electronic book, wherein a number of the at least two pages is proportional to a selectable flipping speed, and the speed of movement through the electronic book is proportional to the selectable flipping speed.

McCurdy describes a system and method for distributing and viewing electronic documents, including the insertion and display of advertisements.² However, McCurdy does not disclose or suggest Applicants' claimed steps of a) displaying at least two pages simultaneously moving across from at least one of book right-side to the book left-side and from the book left-side to the book right-side; and b) displaying a speed of movement through the electronic book, wherein a number of the at least two pages is proportional to a selectable flipping speed, and the speed of movement through the electronic book is proportional to the selectable flipping speed. Applicants have also considered the Ho reference and submit that Ho does not cure the deficiencies of McCurdy.

MPEP §706.02(j) notes that to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the

² McCurdy, paragraph [0007], [0008], and [0201].

Application No. 10/751,429
Reply to Office Action of January 7, 2005

art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Also, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). Without addressing the first two prongs of the test of obviousness, Applicants submit that the currently pending claims patentably define over the applied references because both of the applied references fail to disclose all the features of Applicants' claimed invention.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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